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Attorney for Plaintiff

**FILED**  
APR - 4 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

10 MARIE CHELLINO ) NO. CV06-754  
11 Plaintiff, ) NOTICE OF APPEAL  
12 vs. )  
13 KAISER FOUNDATION HEALTH PLAN, INC.)  
a corporation; DOES 1 through 10, )  
14 inclusive, )  
15 Defendants. )

16 Notice is hereby given that Plaintiff in the above named case hereby appeals  
17 to the United States Court of Appeals for the Ninth Circuit from the Judgment For  
18 Defendant entered on March 26, 2008.

19 Plaintiff/appellant is Marie Chellino represented by Charles J. Fleishman,  
20 19839 Nordhoff Street, Northridge, California 91324 and the defendant/respondent  
21 is Kaiser Fondation Health Plan and Kaiser Permanente Welfare Plan, an ERISA  
22 plan, represented by SEDGWICK, DETERT, MORAN & ARNOLD, One Market  
23 Plaza, 8th Floor, San Francisco, CA 94105, 425-782-7900.

24 | Dated: March 31, 2008

  
Charles J. Fleishman

1                   **PROOF OF SERVICE BY MAIL**

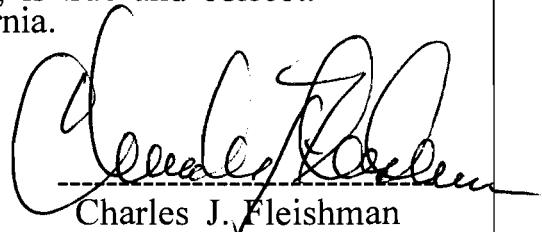
2  
3 I am a resident of Los Angeles County. I am over the age of 18 years and I am  
4 a member of the State Bar. My business address is 19839 Nordhoff St.,  
5 Northridge, CA 91324.

6 On March 31, 2008, I served the within NOTICE OF APPEAL on the parties of  
7 interest in said action by placing a true copy thereof enclosed in a sealed envelope  
8 with the postage thereon fully prepaid in the United States mail at Beverly Hills,  
9 California addressed as follows:

10                  Rebecca Hull  
11                  SEDGWICK, DETERT, MORAN et al.  
12                  One Market Plaza  
13                  Steuart Tower, 8th Floor  
14                  San Francisco, CA 94105

15 I declare under penalty of perjury that the foregoing is true and correct.  
16 Executed on March 31, 2008, at Northridge, California.

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Charles J. Fleishman